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*Harold Wickham, and Dean Willett*

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

REGINALD C. HOWARD,

Plaintiff,

v.

STEVEN GRIERSON, *et al.*,

Defendants.

Case No. 2:19-cv-00749-APG-EJY

**JOINT MOTION TO EXTEND  
DISCOVERY DEADLINES  
(FIRST REQUEST)**

Defendants, Howell, Lewis, Wickham and Willett, by and through counsel, Aaron D. Ford, Nevada Attorney General, and Austin T. Barnum, Deputy Attorney General, hereby jointly move this court to extend discovery deadlines for an additional 30 days. The parties met and conferred regarding extension via phone on October 8, 2021.

**I. PROCEDURAL BACKGROUND**

This is a federal civil rights action pursuant to 42 U.S.C. § 1983 filed *pro se* by Plaintiff, Reginald Howard (hereinafter referred to as "Howard"), on November 3, 2021. ECF No. 9. This Court ordered the case to inmate early mediation conference (EMC) on December 14, 2020. ECF No. 11. The report for the EMC was filed on March 1, 2021, (ECF No. 15) and Defendants filed a notice of acceptance of service on May 19, 2021. ECF No. 20.

The Court issued its scheduling order on August 20, 2021. ECF No. 31. The current discovery deadline is November 18, 2021.

## II. LOCAL RULE 26-3

Parties submit there is good cause for a thirty-day (30) extension to the discovery deadlines. Local Rule 26-3 states in relevant part:

“A motion or stipulation to extend a deadline set forth in a discovery plan . . . made within 21 days of the subject deadline must be supported by a showing of good cause . . . A motion or stipulation to extend a discovery deadline or to reopen discovery must include:

- (a) A statement specifying the discovery completed;
- (b) A specific description of the discovery that remains to be completed;
- (c) The reasons why the deadline was not satisfied or the remaining discovery was not completed within the time limits set by the discovery plan; and
- (d) A proposed schedule for completing all remaining discovery

### a. Discovery Completed

Parties have not completed any discovery at this time.

### b. Specific Description of Discovery that Remains to be completed

Howard propounded requests for production of documents on August 30, 2021. Parties held a meet and confer on October 8, 2021, agreeing to an extension for response to these requests.

Defendants have not propounded discovery requests at this time.

### c. Reasons why the deadline will not be met

Good cause exists for extending the discovery deadlines. In the time Howard propounded his discovery requests and the responses came due the Deputy Attorney General (DAG) and the Senior Deputy Attorney General (SDAG) left the office. Undersigned counsel was assigned this case October 4, 2021, which was after the time for responses were due. Therefore, undersigned counsel scheduled a meet and confer with Howard to discuss the responses and discovery.

At the meet and confer Howard extended leave to respond to the requests on October 29, 2021. After these are mailed to Howard, reviewed and contemplated then it is likely Howard will not have adequate time to file further discovery requests that will require

1 response before the expiration of the current discovery deadline. Therefore, parties agreed  
2 that an extension to the discovery deadline was justified.

3 **d. Current & Proposed schedule**

- 4 • Last day to file discovery extension from October 29, 2021 to **November 26, 2021**  
5 • End of Discovery from November 18, 2021 to **December 17, 2021**  
6 • Discovery Motion Deadline from December 2, 2021 to **December 31, 2021**  
7 • Dispositive Motion Deadline from December 20, 2021 to **January 17, 2022**  
8 • Joint Pretrial Order Pursuant to LR 16-3(b), the parties shall file a Joint Pretrial  
9 Order thirty (30) days after the date for filing motions for summary judgment. In the  
10 event dispositive motions are filed, the date for filing the joint pretrial order shall be  
11 suspended until thirty (30) days after a decision of the dispositive motions or until  
12 further order of the court.

13 **III. CONCLUSION**

14 Based upon the foregoing reasons, the Parties request that this Court grant the  
15 requested relief and continue deadlines as requested herein.

16 Respectfully submitted by,

AARON D. FORD  
Attorney General

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20 Reginald Howard, Plaintiff  
21 Pro Se

By: /s/ Austin T. Barnum  
Austin T. Barnum, Bar No. 15174  
Deputy Attorney General  
Attorneys for Defendants

22 Dated: 10-18-21

Dated: October 19, 2021

23 **IT IS SO ORDERED.**

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26 **U.S. MAGISTRATE JUDGE**

27 **DATED: October 19, 2021.**  
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